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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/546,052	04/10/2000	Joseph J. Weinstein	99-432	2602

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EXAMINER

NGUYEN, TOAN D

ART UNIT

PAPER NUMBER

2665

DATE MAILED: 05/14/2003

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Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No.	Applicant(s)
	09/546,052	WEINSTEIN ET AL.
	Examiner Toan D Nguyen	Art Unit 2665

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

1) Responsive to communication(s) filed on 10 April 2000.

2a) This action is **FINAL**.                    2b) This action is non-final.

3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

4) Claim(s) 1-17 is/are pending in the application.

4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

5) Claim(s) \_\_\_\_\_ is/are allowed.

6) Claim(s) 1-17 is/are rejected.

7) Claim(s) \_\_\_\_\_ is/are objected to.

8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

9) The specification is objected to by the Examiner.

10) The drawing(s) filed on 10 April 2000 is/are: a) accepted or b) objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11) The proposed drawing correction filed on \_\_\_\_\_ is: a) approved b) disapproved by the Examiner.

If approved, corrected drawings are required in reply to this Office action.

12) The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) All b) Some \* c) None of:

1. Certified copies of the priority documents have been received.

2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.

3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

a) The translation of the foreign language provisional application has been received.

15) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

1) Notice of References Cited (PTO-892)

2) Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) Information Disclosure Statement(s) (PTO-1449) Paper No(s) 3, 4, 5.

4) Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_.

5) Notice of Informal Patent Application (PTO-152)

6) Other: \_\_\_\_\_.

**DETAILED ACTION**

***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-17 are rejected under 35 U.S.C. 102(e) as being by Li (U.S. Patent 6,385,174 B1).

For claim 1, Li discloses method and apparatus for transmission of node link status messages throughout a network with reduced communication protocol overhead traffic comprising:

a memory storing a routing table (col. 6 lines 20-23);

a receiver for receiving link state information from the network (figure 1B, col. 4 lines 27-29 and col. 4 lines 34-36); and

a processor for (i) determining, responsive to the received link state information forwarded to the router, a status of connections in the network (col. 4 lines 15-16, col. 4 lines 31-47 and (col. 5 lines 14-20) (ii) generating network topology information based on the determined connection status information (col. 6 lines 50-52) (ii) placing the generated network topology information in said routing table (col. 6 lines 53-55), and (iv) transmitting the network topology information in the routing table to at least one other router in the network (col. 6 lines 50-52).

For claim 2, Li discloses wherein the processor transmits the network topology information to the at least one other router in the network at a predetermined cycle (col. 6 lines 51-52).

For claim 3, Li discloses further comprising a transmitter for transmitting a message including the network topology information retrieved from said routing table (figure 1B, col. 4 line 16, and col. 6 lines 50-52).

For claim 4, Li discloses method and apparatus for transmission of node link status messages throughout a network with reduced communication protocol overhead traffic comprising the steps of:

receiving link state information of the network that is forwarded to each router (figure 1B, col. 4 lines 27-29 and col. 4 lines 34-36);

determining connections of devices in the network in the receiving router responsive to the received link state information forwarded to the router (col. 5 lines 4-10 and col. 5 lines 14-20);

collecting the determined device connection information to generate network topology information in the receiving router (col. 6 lines 18-23);

placing the generated network topology information in a routing table of the receiving router (col. 6 lines 53-55); and

retrieving the network topology information from the routing table (col. 6 lines 59-62).

For claim 5, Li discloses wherein the network topology information is generated periodically (col. 4 lines 44-47).

For claim 6, Li discloses further the step of transmitting a message by the receiving router including the network topology information retrieved from the routing table (col. 6 lines 59-62).

For claim 7, Li discloses wherein the link state information is transmitted to the plurality of routers at predetermined times (figure 1A, col. 4 lines 34-57).

For claim 8, Li discloses wherein the link state information is forwarded to the plurality of routers periodically (col. 4 lines 44-47).

For claim 9, Li discloses method and apparatus for transmission of node link status messages throughout a network with reduced communication protocol overhead traffic comprising:

a plurality of routers each including:

a receiver for receiving link state information from the network in a message issued to the plurality of routers (figure 1A and 1B, col. 3 lines 61-63, col. 4 line 16 and col. 4 lines 27-29);

a processor in each router, responsive to the received link state information (col. 4 lines 15-20), for (i) determining router connection information in the network (col. 6 lines 18-23), (ii) collecting the determined router connection information (col. 6 lines 18-23) (iii) generating network topology information from the collected router connection information (col. 6 lines 18-23), (iv) storing the generated network topology information in a routing table (col. 6 lines 53-55);, and (v) retrieving the network topology information in the routing table and forming it into a link state message to be broadcast to at least one other router in the network (col. 6 lines 55-62).

For claim 10, Li discloses wherein each processor periodically generates the network topology information (col. 4 lines 44-47).

For claim 11, Li discloses further a transmitter in each router for transmitting the link state message including the network topology information retrieved from the routing table (figure 1B, col. 4 line 16, and col. 6 lines 50-52).

For claim 12, Li discloses wherein the transmitter transmits the link state information message to a plurality of routers at predetermined times (col. 4 lines 34-57).

For claim 13, Li discloses wherein the transmitter periodically broadcasts the link state information message to the plurality of routers (col. 4 lines 34-47).

For claim 14, Li discloses wherein the transmitter transmits the link state information message to the plurality of routers after its corresponding receiver receives the link state information from the network (col. 6 lines 14-20 and col. 6 lines 50-52).

For claim 15, this claim is directed to the same subject matter as in claim 4. Therefore, it is subject to the same rejection.

For claim 16, this claim is directed to the same subject matter as in claim 1. Therefore, it is subject to the same rejection.

For claim 17, this claim is directed to the same subject matter as in claim 9. Therefore, it is subject to the same rejection.

#### ***Contact Information***

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Toan D Nguyen whose telephone number is 703-305-0140. The examiner can normally be reached on Monday- Friday (7:00AM-4:30PM).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mr. Huy Vu can be reached on 703-308-6602. The fax phone numbers for the

organization where this application or proceeding is assigned are 703-872-9314 for regular communications and 703-872-9314 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-9600.

T.N.



A handwritten signature in black ink, appearing to read "T.N." followed by a stylized signature. Below the signature is the date "8/12/07" written in a cursive, handwritten style.